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6 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

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8 UNIVERSAL LIFE CHURCH
MONASTERY STOREHOUSE,

9 Plaintiff,

10 v.

11 MAURICE KING, *et al.*,

12 Defendants.
13

NO. C19-0301RSL

ORDER REGARDING AMERICAN
MARRIAGE MINISTRIES'
AMENDED MOTION TO SEAL

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15 This matter comes before the Court on American Marriage Ministries' requests to seal
16 documents submitted as part of its response to plaintiff's motion for summary judgment. The
17 motion to seal initially sought permission to file the response memorandum and sixteen exhibits
18 under seal. *See* Dkt. # 121-123. After further consultation between the parties, American
19 Marriage Ministries ("AMM") has gradually reduced the scope of the redactions and/or the
20 number of exhibits it seeks to have filed under seal. *See* Dkt. # 134-141 and Dkt. # 146-150.
21 Having reviewed the memoranda, declarations, and exhibits submitted by the parties, the Court
22 finds as follows:
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24 (1) A redacted version of AMM's opposition memorandum had been filed for public
25 viewing at Dkt. # 119. The unredacted version, Dkt. # 122, will remain under seal because the
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1 redactions are fairly minimal. The Court notes, however, that AMM redacted information only
2 because plaintiff designated it as “Confidential” or “Attorney’s Eyes Only” during discovery.
3 Plaintiff made no effort to justify its designations or otherwise satisfy its burden under LCR 5(g).
4 To the extent the redacted information is key to the claims at issue in the motion for summary
5 judgment - for example, to the extent the documents are relevant to AMM’s claim that plaintiff
6 intentionally misdirected internet users looking for AMM through the improper use of AMM’s
7 trade name or mark - the Court is not bound by plaintiff’s unilateral designations.
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9 (2) AMM, with the concurrence of plaintiff, has withdrawn its request that Exhibits 3, 4,
10 6, 7, 9-13, 19, 20, 23, and 24 be filed under seal. Redacted, publicly available versions of those
11 exhibits have been filed at Dkt. # 147. Plaintiff justifies the redactions on the ground that the
12 information is irrelevant to the issues raised in the motion for summary judgment, such that the
13 redactions will in no way impede the public’s understanding of the case. The unredacted
14 versions of the Exhibits will therefore remain under seal. If, however, the Court finds that the
15 information is relevant, it will not be bound by plaintiff’s unilateral and unsupported
16 confidentiality designations.
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18 (3) With regards to Exhibits 5 and 14, plaintiff has submitted redacted versions for public
19 viewing at Dkt. # 145-1 and # 145-2. The unredacted versions of the Exhibits will remain under
20 seal because the redactions are fairly minimal. Plaintiff argues that the information redacted
21 from these exhibits is sensitive, confidential, and/or trade secret. While some of the redacted
22 information reveals business relationships, pricing, and other confidential information worthy of
23 protection, at least some of the redacted material appears to be highly relevant to the issue of
24 whether plaintiff intentionally used AMM’s trade name and mark to siphon business away from
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1 a competitor. To the extent the redacted information is key to the claims at issue in the motion
2 for summary judgment, the public's interest may outweigh plaintiff's concern that the
3 information could be used to gain an unfair advantage in business.

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5 (4) With regards to Exhibit 8, plaintiff states only that it "has no objection to AMM's
6 Motion to Seal." Dkt. # 143 at 1. That statement in no way justifies a seal. A review of the
7 document suggests that it may well be relevant to the issues raised by the summary judgment
8 motion and that the information contained therein has nothing to do with the types of
9 commercially sensitive information courts generally protect, such as customer or price lists, sales
10 projections, or marketing plans. At this stage, the Court will allow the document (Dkt. # 149) to
11 remain under seal, but again with the caveat that plaintiff's claim of confidentiality may give
12 way to the public's need for access if the information is critical to understanding the issues.
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15 For all of the foregoing reasons, Dkt. # 122, 123, 136-141, and 148-150 will remain under
16 seal. Redacted versions of all of the documents except Exhibit 8 are available for public viewing.
17 If a full and fair consideration of the issues raised in the motion for summary judgment requires
18 disclosure of the redacted information and if its protected nature is not apparent, the Court will
19 not be constrained by plaintiff's unilateral confidentiality designations.
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22 Dated this 25th day of August, 2020.

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24 Robert S. Lasnik
25 United States District Judge
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